

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

In Re: PHARMACEUTICAL
INDUSTRY AVERAGE WHOLESAL
PRICE LITIGATION

THIS DOCUMENT RELATES TO:
THE AMENDED MASTER
CONSOLIDATED CLASS ACTION

MDL No. 1456

Master File No. 01-CV-12257-PBS

Judge Patti B. Saris

Chief Mag. Judge Marianne B. Bowler

**DEFENDANTS' MOTION TO ENFORCE
THE COURT'S DECEMBER 28, 2004 ORDER**

Defendants to the Amended Master Consolidated Class Action Complaint respectfully move this Court for an order enforcing the Court's December 28, 2004 Order granting Defendants' Unopposed Motion to Amend, requiring third parties Aetna U.S. Health Care, Humana, Inc., and CIGNA Corporation to produce 30(b)(6) witnesses sufficiently knowledgeable to testify regarding PBM-related inquiries, and to complete their respective productions of documents pursuant to outstanding subpoenas served by defendants. The grounds for this motion are set forth in the accompanying memorandum of law and exhibits.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d) the undersigned counsel hereby request oral argument on the issues set forth in this motion and the accompanying memorandum of law and exhibits.

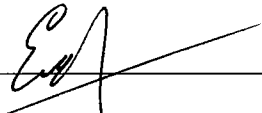
CERTIFICATION PURSUANT TO LOCAL RULE 7.1

Pursuant to Local Rule 7.1(a)(2), the undersigned counsel hereby certify that counsel for defendants conferred with counsel for third parties Aetna U.S. Health Care, Humana, Inc., and CIGNA Corporation regarding the issues addressed in this motion, but were unable to resolve or further narrow the issues.

Dated: January 4, 2005

Respectfully submitted,

By:

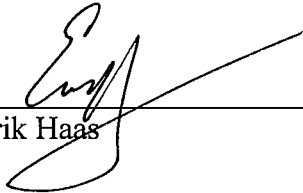
A handwritten signature in black ink, appearing to be 'E. Haas', is written over a horizontal line.

Erik Haas (admitted *pro hac vice*)
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*Attorneys for Defendants Johnson &
Johnson, Centocor Inc. Ortho Biotech
Products L.P., Janssen Pharmaceutica L.P.
and McNeil-PPC on behalf of all defendants
to the Amended Master Consolidated Class
Action Complaint*

CERTIFICATE OF SERVICE

I certify that on January 4, 2005, a true and correct copy of the forgoing Motion to Enforce the Court's December 28, 2004 Order was served on all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to Verilaw Technologies for posting and notification to all parties. I further certify that a copy was served on January 4, 2005 on counsel for third parties Aetna U.S. Health Care, Humana, Inc., and Cigna Corporation by fax and Federal Express.


Erik Haas